

An Act

ENROLLED HOUSE
BILL NO. 1520

By: Nollan, Blackwell,
Reynolds, Ritze, Cockroft,
Shelton and Faught of the
House

and

Brown and Johnson
(Constance) of the Senate

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 7-606, as last amended by Section 4, Chapter 440, O.S.L. 2010 (47 O.S. Supp. 2010, Section 7-606), which relates to penalties for violation of security verification requirements; modifying penalty; defining term; and providing an effective date.

SUBJECT: Compulsory Insurance Law

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2001, Section 7-606, as last amended by Section 4, Chapter 440, O.S.L. 2010 (47 O.S. Supp. 2010, Section 7-606), is amended to read as follows:

Section 7-606. A. 1. An owner or operator who fails to comply with the Compulsory Insurance Law, or who fails to produce for inspection a valid and current security verification form or equivalent form which has been issued by the Department of Public Safety upon request of any peace officer, representative of the Department of Public Safety or other authorized person, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than Two Hundred Fifty Dollars (\$250.00), or imprisonment for not more than thirty (30) days, or by both such fine and imprisonment, and in addition thereto, shall be subject to

suspension of the driving privilege of the person in accordance with Section 7-605 of this title. Upon issuing a citation under this paragraph, the law enforcement officer issuing the citation may seize the vehicle being operated by the person and cause the vehicle to be towed and stored as provided by subsection B of Section 955 of this title, if the officer has probable cause to believe that the vehicle is not insured as required by the Compulsory Insurance Law of this state. If the operator of the vehicle produces what appears to be a valid security verification form and the officer is unable to confirm compliance through the online verification system or noncompliance by a subsequent investigation, the officer shall be prohibited from seizing the vehicle and causing such vehicle to be towed and stored. Further, no vehicle shall be seized and towed under the provisions of this paragraph if said vehicle is displaying a temporary license plate that has not expired pursuant to the provisions of Sections 1137.1 and 1137.3 of this title.

2. An owner other than an owner of an antique or a classic automobile as defined by the Oklahoma Tax Commission who files an affidavit that a vehicle shall not be driven upon the public highways or public streets, pursuant to Section 7-607 of this title, who drives or permits the driving of the vehicle upon the public highways or public streets, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than Five Hundred Dollars (\$500.00), or imprisonment for not more than thirty (30) days, or by both such fine and imprisonment, and in addition thereto, shall be subject to suspension of the driving privilege of the person in accordance with Section 7-605 of this title.

B. A sentence imposed for any violation of the Compulsory Insurance Law may be suspended or deferred in whole or in part by the court.

C. Any person producing proof in court that a current security verification form or equivalent form which has been issued by the Department of Public Safety reflecting liability coverage for the person was in force at the time of the alleged offense shall be entitled to dismissal of the charge ~~upon payment of court costs, however, if.~~ If proof of security verification is presented to the court by no later than the business day preceding the assigned first scheduled court appearance date, the dismissal shall be without payment of court costs. The court shall may access information from the online verification system and, if compliance is confirmed, the charge shall be dismissed without payment of court costs to confirm

liability coverage. The court shall not dismiss the fine unless proof that liability coverage for the person was in force at the time of the alleged offense is presented to the court.

D. Upon conviction, bond forfeiture or deferral of sentence, the court clerk shall forward an abstract to the Department of Public Safety within ten (10) days reflecting the action taken by the court.

E. For purposes of this section, "court" means any court in this state.

SECTION 2. This act shall become effective November 1, 2011.

Passed the House of Representatives the 3rd day of May, 2011.

Presiding Officer of the House of
Representatives

Passed the Senate the 7th day of April, 2011.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this _____
day of _____, 20____,
at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma the _____ day of
_____, 20____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
_____ day of _____, 20____,
at _____ o'clock _____ M.

By: _____